CLERK'S OFFICE U.S. DIST. COURT AT DANVILLE, VA

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

JOHN F. CORCORAN, GLERK BY: HMCDMOD

GERALD L. WHITTINGTON,)	BY: HMCLCMOQ J DEPUTY CLERK
Petitioner,	j	Civil Action No. 7:07-cv-00294
v.)	FINAL ORDER
GENE M. JOHNSON, Respondent.)	By: Hon. Jackson L. Kiser Senior United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby

ORDERED and **ADJUDGED**

that Whittington's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DISMISSED**, and this case shall be **STRICKEN** from the active docket of the court.

Whittington is advised that he may appeal this decision pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure by filing a notice of appeal with this court within 30 days of the date of entry of this Order, or within such extended period as the court may grant pursuant to Rule 4(a)(5).

The Clerk of the Court is directed to send a certified copy of this Order and accompanying Memorandum Opinion to the petitioner.

ENTER: This Aw day of July, 2007.

Senior United States District Judge